

**Mayor**  
Kenneth Romney

# *West Bountiful City*

**City Administrator**  
Duane Huffman

**City Council**  
James Ahlstrom  
James Bruhn  
Debbie McKean  
Mark Preece  
Dave Tovey

550 North 800 West  
West Bountiful, Utah 84087

Phone (801) 292-4486  
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**Finance Director**  
Heidi Voordeckers

**Chief of Police**  
Todd Hixson

**City Engineer**  
Ben White

\*\*\* Amended 10/11/2013 \*\*\*

## **CITY COUNCIL MEETING**

**NOTICE IS HEREBY GIVEN THAT THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A CITY COUNCIL WORK SESSION AND MEETING ON TUESDAY, OCTOBER 15, 2013 BEGINNING AT 6:00 PM– 550 NORTH 800 WEST, WEST BOUNTIFUL CITY.**

### **Work Session Agenda (6:00 pm)**

1. Discussion on issues and options related to Birnam Woods Park and surrounding city property

### **City Council Agenda (7:30 pm)**

Invocation/Thought by Invitation  
Pledge of Allegiance – Debbie McKean

1. Accept Agenda
2. Public Comment (two minutes per person) or if a spokesperson has been asked by a group to summarize their comments, five minutes will be allowed.
3. Consider approval of 2013 municipal general election judges for West Bountiful City
4. Consider approval of Findings and Decisions on Applicant's Request for a Variance and authorize Mayor Romney's signature of document – *Jenkins, 790 West 1000 North*
5. Consider approval of Findings and Decisions on Applicant's Request for a Variance and authorize Mayor Romney's signature of document – *Wilson, 1894 North 800 West*
6. Consider appeal of storm drain impact fees imposed on the Carbone subdivision
7. Consider approval of Resolution 319-13, a resolution to vacate a public utility easement located at approximately 600 East 600 North, Bountiful, Utah.
8. Consider proposed amendment to the FY 2014 budget and set date for public hearing
9. Discussion on draft Athletic Field Policy
10. Planning Commission Report
11. Engineer Report
12. Police Report
13. Finance Report – September 2013
14. Administrative Report
15. Mayor/Council Reports
16. Approval of minutes of the October 1, 2013 City Council Meeting

17. Possible closed meeting for allowed purposes pursuant Utah Code Annotated 52-4-205
18. Possible action following closed meeting
19. Adjourn

According to the American's with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should contact Heidi Voordeckers, City Recorder/Auditor, at (801) 292-4486. Any residents or property owners in West Bountiful City may request to offer a prayer or thought at the City Council Meetings. Please notify Heidi Voordeckers of this desire twenty-four (24) hours before the meeting.

This agenda has been posted and delivered to the City Council and sent to the Clipper Publishing Company on October 10, 2013.

1 Minutes of the Meeting of the City Council of West Bountiful City held on Tuesday, October 15,  
2 2013 at West Bountiful City Hall, Davis County, Utah.

3  
4 Those in attendance:

5  
6 MEMBERS PRESENT: Mayor Pro Tem Mark Preece, James Ahlstrom,  
7 James Bruhn, Dave Tovey, Debbie McKean. Mayor Kenneth Romney  
8 was going to be late.

9  
10 STAFF PRESENT: Duane Huffman (City Administrator), Heidi  
11 Voordeckers (Finance Director/Recorder), Ben White (City Engineer),  
12 Steve Doxey (City Attorney), Steve Maughan (Public Works Director),  
13 Chief Todd Hixson, Nathalie Ellingson (Secretary).

14  
15 VISITORS: Alan Malan, Jan Carbone.

16  
17  
18 Called to Order: Mayor Pro Tem Mark Preece called this meeting to order at 7:31 pm

19  
20 Invocation/Thought – Dave Tovey gave an invocation.

21 Pledge of Allegiance led by Debbie McKean

22  
23 Mayor Romney arrived at 7:33 pm.

24  
25 1.  
26 Accept Agenda

27  
28 The Mayor proposed to move Item 9 to 2a.

29  
30 MOTION: James Bruhn moved to accept the agenda with proposed  
31 change.

32  
33 SECOND: Debbie McKean seconded the Motion.

34  
35 PASSED: Voting was as follows:  
36 James Ahlstrom – Aye  
37 Mark Preece – Aye  
38 James Bruhn – Aye  
39 Dave Tovey – Aye  
40 Debbie McKean – Aye

41 2.  
42 Public Comment

43  
44 Darin Palmer is the account administrator for the Utah Local Governments  
45 Trust. They released a member equity distribution and West Bountiful, as

1 part of the pool, received part of the equity. Mr. Palmer presented a check  
2 just over \$9,000.00.

3  
4 2a.  
5 Draft Athletic Field Policy  
6

7 This item was moved to 2a so it could be discussed while Rocky Miller  
8 from the Public Works department was present. Duane Huffman had  
9 provided council members with a draft Athletic Field Policy. The issue of  
10 random use of the park by organized teams came up during a council  
11 report in a previous meeting. The city has an agreement only with the  
12 West Bountiful baseball league. Staff was asked to draft a policy that  
13 would establish a simple and productive way for teams (lacrosse, soccer,  
14 etc.) to get approval and reserve times to use the park. He based the  
15 policy draft on North Salt Lake's athletic field policy.  
16

17 The first section of the policy provides an overview of the reason for the  
18 policy. The second section outlines rules and procedures, including areas  
19 available for use. It then sets up deadlines for making reservations so staff  
20 can handle multiple uses in one day and deal with two entities requesting  
21 use of the field at the same time. Debbie McKean pointed out they need to  
22 make sure areas are available for casual use, and there was some  
23 discussion about whether the volleyball court should be available to  
24 reserve. It was meant for casual play but Rocky said there have been  
25 volleyball tournaments that went over several Saturdays.  
26

27 The third section was on application instructions. Duane asked the council  
28 to look closely at liability issues. There was discussion that many entities  
29 won't have insurance unless they are part of an organized league, and  
30 requiring insurance would be an imposition. Duane said he would  
31 encourage all teams to get coverage even if for one day. Another option  
32 would be to charge an extra fee to mitigate damage and risk. He said he  
33 will check with other cities on this issue. The remaining sections listed  
34 limitations of use, notices and agreements required, scheduling priorities  
35 (West Bountiful-sponsored programs have first priority, non-resident  
36 programs have last, etc.), and fees. The fees section has not been drafted  
37 yet.  
38

39 The council advised Duane the policy so far is what they requested, but  
40 they are concerned about having too many restrictions. Debbie McKean  
41 suggested they have a work session to go over each item. Dave Tovey  
42 said only certain portions of the park should be available to reserve.  
43 Duane suggested they discuss if they want to have a Saturday and Sunday  
44 restriction; maybe adopt a different fee schedule for those days. He wants  
45 members of the staff to be able to drop by when a league is playing to

1 check on things. The council said the staff was going in the right direction  
2 and they should continue working with Steve Doxey on the agreement.  
3

4 3.  
5 Consider Approval of 2013  
6 Municipal General Election  
7 Judges for West Bountiful City.  
8

9 MOTION: Debbie McKean moved to approve the general election poll  
10 workers pursuant Utah code Section 20A-5-602(c).  
11

12 SECOND: Dave Tovey seconded the Motion.  
13

14 PASSED: Voting was as follows:  
15 James Ahlstrom – Aye  
16 Mark Preece – Aye  
17 James Bruhn – Aye  
18 Dave Tovey – Aye  
19 Debbie McKean – Aye  
20

21 MOTION: Debbie McKean moved to amend the agenda moving Item 6 to  
22 3a.  
23

24 SECOND: James Bruhn seconded the Motion.  
25

26 PASSED: Voting was as follows:  
27 James Ahlstrom – Aye  
28 Mark Preece – Aye  
29 James Bruhn – Aye  
30 Dave Tovey – Aye  
31 Debbie McKean – Aye  
32

33 3a.  
34 Consider Appeal of Storm Drain  
35 Impact Fees Imposed on the  
36 Carbone Subdivision  
37

38 Ben White – The Carbone's came to the city a year ago with a request to subdivide, creating a flag lot.  
39 They are now applying for the building permit and are requesting a waiver of the storm drain impact fee.  
40 They presented a letter to the city engineer explaining that their building would have no impact on storm  
41 drains because of the slope of the property. Included in the council members' packets was a copy of the  
42 ordinance identifying the policy for assessing impact fees. The fee structure was not designed to take  
43 each property's specific impact into consideration but was established as an across the board average. It  
44 was pointed out if this waiver request was approved, the city would open itself to many requests for  
45 waivers based on the size and unique characteristics of each home.  
46

1 MOTION: James Bruhn moved to deny the appeal of storm drain impact  
2 fees imposed on the Carbone Subdivision.

3  
4 SECOND: Debbie McKean seconded the Motion.

5  
6 DISCUSSION: James Ahlstrom asked Steve Doxey his opinion, and Mr.  
7 Doxey said he agrees with Ben's analysis.

8  
9 PASSED: Voting by roll call was as follows:

10 James Ahlstrom – Nay

11 Mark Preece – Aye

12 James Bruhn – Aye

13 Dave Tovey – Nay

14 Debbie McKean – Aye

15  
16 4.  
17 Consider Approval of Findings  
18 and Decisions on Applicant's  
19 Request for a Variance and  
20 Authorize Mayor Romney's  
21 Signature on Document –  
*Jenkins, 790 West 1000 North.*

22  
23  
24 There was some discussion regarding the 30 foot setback requirement in  
25 the ordinance. James Ahlstrom suggested they have a range for  
26 conditional use permits. The council does not know the rationale of why  
27 the standards were set in the first place, and the Planning Commission is  
28 looking at the ordinance for possible changes. Mayor Romney said he  
29 likes the 30 foot limit because it keeps the rural feel to the community.

30  
31 MOTION: James Ahlstrom moved to approve the findings and decisions  
32 on the Jenkins's request for a variance and authorize Mayor Romney's  
33 signature on the document.

34  
35 SECOND: Debbie McKean seconded the Motion.

36  
37 PASSED: Voting was as follows:

38 James Ahlstrom – Aye

39 Mark Preece – Aye

40 James Bruhn – Aye

41 Dave Tovey – Aye

42 Debbie McKean – Aye

43  
44 5.  
45 Consider Approval of Findings  
46 and Decisions on Applicant's

1 Request for a Variance and  
2 Authorize Mayor Romney's  
3 Signature of Document –  
4 *Wilson, 1804 North 800 West.*

5  
6 MOTION: Dave Tovey moved to approve the findings and decisions on  
7 the Wilson's request for a variance and authorize Mayor Romney's  
8 signature of the document.

9  
10 SECOND: Mark Preece seconded the Motion.

11  
12 PASSED: Voting was as follows:  
13 James Ahlstrom – Aye  
14 Mark Preece – Aye  
15 James Bruhn – Aye  
16 Dave Tovey – Aye  
17 Debbie McKean – Aye

18  
19 6.  
20 Moved to 3a.

21  
22 7.  
23 Consider Approval of Resolution 319-13,  
24 a Resolution to Vacate a Public Utility  
25 Easement Located at Approximately  
26 600 East 600 North, Bountiful, Utah.

27  
28  
29 Ben White – the property was purchased from the LDS Church so the city  
30 could put a water tank there. There was no access from a road so the  
31 church gave them an access easement. The easement is no longer needed  
32 because Bountiful City is putting in a new road, and Bountiful is asking  
33 West Bountiful to vacate the easement to provide more area on which to  
34 build.

35  
36 MOTION: James Bruhn moved to approve Resolution 319-13 to vacate a  
37 public utility easement located at approximately 600 East 600 North,  
38 Bountiful, Utah.

39  
40 SECOND: Debbie McKean seconded the Motion.

41  
42 DISCUSSION: James Ahlstrom asked why the city was giving away the  
43 property and Ben said they hadn't paid anything to the church for it.  
44 Mayor Romney thought they should have a conversation about the value  
45 of the property and find out details on what is going to be done with the  
46 land. They should also consider that they are talking about buying water

1 from Bountiful and the stub-in would be on the property. Debbie  
2 suggested they table the approval and gather more information.

3  
4 DENIED: Voting by roll call was as follows:

5 James Ahlstrom – Nay

6 Mark Preece – Nay

7 James Bruhn – Aye

8 Dave Tovey – Nay

9 Debbie McKean – Nay

10  
11 8.

12 Consider Proposed Amendment to  
13 the FY 2014 Budget and Set Date for  
14 Public Hearing.

15  
16 Heidi Voordeckers – a memorandum was provided to council explaining  
17 the background of the budget items being proposed (snowplow, golf  
18 course irrigation, tuition reimbursement). One item not mentioned in the  
19 memo is an additional \$23,000 approved for fencing and signage at the  
20 golf course entrance. Debbie McKean suggested a work session regarding  
21 tuition reimbursement. A public hearing will be held November 19 during  
the regular council meeting. This motion was to tentatively adopt the  
23 amendments. They will be considered for final approval following the  
24 public hearing.

25  
26 MOTION: Dave Tovey moved to approve the proposed amendments to  
27 the FY 2014 Budget and set a date for the public hearing on November 19  
28 at 7:35.

29  
30 SECOND: Debbie McKean seconded the Motion.

31  
32 PASSED: Voting by roll call was as follows:

33 James Ahlstrom – Aye

34 Mark Preece – Aye

35 James Bruhn – Nay

36 Dave Tovey – Aye

37 Debbie McKean – Aye

38  
39 9.

40 Moved to 2a.

41  
42 10.

43 Planning Commission Report

44 Duane Huffman distributed copies of a conditional use permit for the  
45 Jensen's. Their prior violations were dropped. At council's request, the  
46 commission discussed ordinance language regarding decks, 25% for

1 accessory structures, fire escapes, arboretums, etc. They are actually  
2 looking at all the land use ordinances except animals.

3  
4 11.  
5 Engineer Report

6 Ben White –

- 7 • He received two subdivision applications. One is the Hepworth  
8 piece at the corner of 400 North and 1100 West, which would be  
9 seven lots. All lots would front on 400 North. The other  
10 subdivision is in Olsen Farms with eight lots at 1100 West and  
11 Pages Lane. They will need to address an issue with lot size – they  
12 are three times depth to width.
- 13 • He will attend a meeting with the Wasatch Front Regional Council,  
14 UDOT, and Bountiful City regarding the I-15 project.
- 15 • He has a firm date with the railroad to shut down Pages Lane next  
16 week. They will be fixing the sidewalks, curb and asphalt by the  
17 tracks.
- 18 • He is working on designs for next year's projects. He will be  
19 talking with residents on 800 West, 900 West and 725 West about  
20 the projects planned on those streets.

21  
22 12.  
23 Police Report

24  
25 Chief Hixson– He has been busy filling reserve officer openings --  
26 Christopher Jacobsen, a West Bountiful resident, and Gregory White have  
27 been hired as reserve officers. This is the first job in law enforcement for  
28 both of them. The crossing guards are doing well. The personnel have  
29 been very busy with several investigations, including one with the US  
30 Attorney's Office and one involving multiple states. The JAG grant is  
31 completed and the department will be doing some more tech upgrading.  
32 There were thirty-seven applicants for the officer position, and the pool  
33 has been narrowed down to thirteen.

34 13.  
35 Finance Report – September 2013

36  
37 Heidi – 25% of the fiscal year is past. Sales tax was 8% ahead of last  
38 September, which is counting July's receipts. Fluctuations in sales tax  
39 have been state wide. Building permits are up. Heidi is still working with  
40 auditors. She'll be working on the written final audit report the next  
41 couple of weeks.

42 14.  
43 Administrative Report.

44  
45 Duane Huffman –

- He wants to hold an official RDA meeting on November 19 so that board members can be updated and the annual report reviewed. He suggested 7:00 pm just before the regular council meeting.
- He is working on a redraft of the personnel policy. He recommends taking out the auxiliary policies; those which have no legal ramifications.
- Early voting will start next Wednesday and the information is posted on the website, Facebook and Twitter.
- He visited the bridge on the 17<sup>th</sup> hole at the golf course, which is a safety risk. He asked Steve Maughan to put on some extra plywood to strengthen it. They are thinking of putting a path there instead of the bridge but grass has to be better established there first.
- He asked for a brief closed session to discuss pending litigation.

15.

Mayor/Council Reports

Debbie McKean– newsletter items were due today and she got most of them. Dec 9 is Christmas on Onion St. She attended the Mosquito Abatement Conference at Bryce Canyon. Mosquito Abatement received some money from the Utah Local Government Trust also. As trustees, they should take employee safety training. She forwarded information to Duane. At the conference they had a good session on passing the torch – stimulating youth to participate. She suggested inviting youth council members to their board meetings.

Dave Tovey– The youth council is getting ready for Christmas on Onion Street. They are reviewing some of the feedback from last year. Debbie recommended he communicate with Arts Council on where to arrange the choir.

James Bruhn – Members of the men’s golf league are upset they cannot use their winnings for green fees or a next round, etc. No Parking signs on 400 North west of the trail need to be pulled and salvaged. The City ran services into a vacant lot on 1100 West and 300 North for a new home. The owner put the combined parcels for tax purposes but the properties were not changed.

Mark Preece– He attended the emergency preparedness advisory committee meeting. They have a trailer and will fix it up at the city shop. Looking for two more members.

James Ahlstrom – He asked about the vacant seat on the Planning Commission, and Mayor Romney said they have a couple of applicants. The house on Pages Lane past 900 West (just before the Ranches

1 subdivision) has a garage that looks like an ordinance violation. James  
2 Bruhn said they are building another garage in the back yard.

3  
4 Mayor Romney– Asked Debbie if there is anything else needed on the  
5 Knighton home. Duane said they will inspect the curb and gutter but the  
6 volunteer groups did a good job. The golf course needs some golf cart  
7 crossing lines.  
8

9 16.

10 Approval of Minutes of the  
11 October 1, 2013 City Council  
12 Meeting.  
13

14 James Ahlstrom requested a change in language on Page 11.  
15

16 MOTION: James Bruhn moved to approve the minutes of the October 1,  
17 2013 City Council meeting.  
18

19 SECOND: Dave Tovey seconded the Motion.  
20

21 PASSED: Voting was as follows:

22 James Ahlstrom – Aye

23 Mark Preece – Aye

24 James Bruhn – Aye

25 Dave Tovey – Aye

26 Debbie McKean – Aye  
27

28 10:00 pm  
29

30 MOTION: Mark Preece moved to extend the meeting until 10:15 pm.  
31

32 SECOND: James Bruhn seconded the Motion.  
33

34 PASSED: Voting was as follows:

35 James Ahlstrom – Aye

36 Mark Preece – Aye

37 James Bruhn – Aye

38 Dave Tovey – Aye

39 Debbie McKean – Aye  
40

41 17.

42 Possible Closed Meeting for Allowed  
43 Purposes Pursuant Utah Code Annotated  
44 52-4-205.  
45

1 MOTION: Mark Preece moved to hold a strategy session to discuss  
2 pending or reasonably imminent litigation in the police lineup room.

3  
4 SECOND: James Bruhn seconded the Motion.

5  
6 PASSED: Voting by roll call was as follows:

7 James Ahlstrom – Aye

8 Mark Preece – Aye

9 James Bruhn – Aye

10 Dave Tovey – Aye

11 Debbie McKean – Aye

12  
13 MOTION: James Ahlstrom moved to end the closed session.

14  
15 SECOND: Dave Tovey seconded the Motion.

16  
17 PASSED: Voting was as follows:

18 James Ahlstrom – Aye

19 Mark Preece – Aye

20 James Bruhn – Aye

21 Dave Tovey – Aye

22 Debbie McKean – Aye

23  
24 18.

25 Possible Action Following Closed Meeting

26  
27 Not necessary.

28  
29 19.

30 Adjourn – 10:20 pm.

31  
32 MOTION: James Bruhn moved to adjourn.

33  
34 SECOND: James Ahlstrom seconded the Motion.

35  
36 PASSED: Voting was as follows:

37 James Ahlstrom – Aye

38 Mark Preece – Aye

39 James Bruhn – Aye

40 Dave Tovey – Aye

41 Debbie McKean – Aye

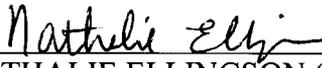
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\_\_\_\_\_  
MAYOR KENNETH ROMNEY

  
\_\_\_\_\_  
HEIDI VOORDECKERS (CITY RECORDER)



  
\_\_\_\_\_  
NATHALIE ELLINGSON (SECRETARY)

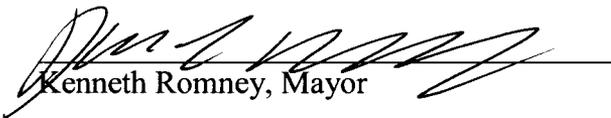
**WEST BOUNTIFUL CITY**  
**Statement Regarding Closed Meeting of City Council**  
**October 15, 2013**

STATE OF UTAH                    )  
  : ss.  
COUNTY OF DAVIS            )

I, Kenneth Romney, hereby affirm as follows:

1. I am the mayor of West Bountiful City, and make the following averments based on personal knowledge.
2. I presided at a duly noticed meeting of the West Bountiful City Council on October 15, 2013.
3. Upon motion and a unanimous vote, the City Council closed the meeting and moved the meeting to the police line-up room for the purpose of discussing the character, professional competence, or physical or mental health of an individual, to hold a strategy session to discuss pending, or reasonably eminent litigation, and to discuss investigative proceedings regarding criminal conduct, pursuant *Utah Code Ann. § 52-4-205(1)(a)(c)(g)*
4. Upon conclusion of that discussion, the Council resumed its open meeting.

DATED this 22 day of October, 2013.

  
Kenneth Romney, Mayor

SUBSCRIBED AND SWORN TO before me this 22 day of October, 2013.



  
\_\_\_\_\_  
Notary Public